



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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PUBLIC AFFAIRS

April 20, 2009

Steven Ellis, Supervisor
Wallowa-Whitman National Forest
1550 Dewey Ave.
Baker City, OR 97814

Subject: Wallowa-Whitman National Forest Invasive Plant Treatment project
EPA Project Number 06-022-AFS

Dear Mr. Ellis:

The U.S. Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (EIS) for the proposed **Invasive Plant Treatment** project (CEQ No. 20090057) on Wallowa-Whitman National Forest in Wallowa, Baker, Malheur and Grant Counties, OR and Adams and Nez Perce Counties, ID. Our review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The draft EIS evaluates the potential environmental effects of a proposal to contain, control, eradicate, and suppress invasive plants on almost 23,000 acres of the Forest, which are currently infested with weeds and targeted for treatment until no more treatments would be needed or changes to this EIS become necessary. In assessing environmental effects associated with the project, the Forest Service (FS) analyzed four alternative actions (A through D), including a No Action (Alternative A). The draft EIS does not identify a preferred alternative action. All action alternatives (B-D) are essentially the same, except that there would be no broadcast application of herbicides in riparian areas and aerial sprays under Alternative C and D, respectively. Herbicide use would be approved on 21,000 acres. In addition, the project includes design features to reduce potential impacts and to detect new infestations early. If the project was implemented as currently proposed, the FS believes that it would result in no significant impacts to resources in the project area.

EPA understands the risks of untreated invasive plants. We appreciate FS planning efforts for this project, especially the consideration of public scoping comments in the development of this EIS and incorporation of Integrated Pest Management (IPM) principles in the project plan. We promote IPM because it is a prudent approach to understand and better deal with environmental concerns resulting from invasive plant treatments. The IPM strategy promotes an understanding of pest life cycles and application of effective pest control methods, including judicious use of herbicides.

In general, we agree with the proposed invasive plant treatments to improve resource conditions in the project area. However, we are concerned about the project's potential impacts

to water quality within impaired water bodies that are on Idaho and Oregon's most current 303(d) lists, primarily for exceedances of temperature. Planned activities include vegetation removal, which may result in thermal modification for 303(d) listed waterbodies, especially where treatments would occur close to these waters. If livestock grazing activities were added to invasive treatments, the cumulative thermal effects could even be more significant. We recommend that the FS continue to work with Idaho and Oregon Departments of Environmental Quality to assure that the state water quality standards will be met. In addition, the FS should work with the Nez Perce Tribe, and Confederate Tribes of Umatilla and Warm Springs to address their water quality issues, if any. The final EIS should include additional information as discussed in the comments below.

Water quality

Water quality degradation is one of EPA's primary concerns. Section 303(d) of the Clean Water Act requires each State and Tribe with approved water quality standards to identify water bodies that do not meet water quality standards and to develop water quality restoration plans to meet established water quality criteria and associated designated uses.

While the draft EIS identifies impaired water bodies within the project area and parameters for which they were listed (Table 38, p. 254), it does not include data about water quality criteria specifically, what the numeric water quality standard exceedances are for listed waters. Without this information, it is difficult to know whether the proposed weed treatments will exacerbate conditions in impaired streams or not. Additional information that may be useful can be found in a recent Memorandum Of Agreement (MOA) (September 28, 2007) between EPA and FS which identifies specific actions that can be taken to address water quality impairments and restoration on national forest system lands.

We are concerned that treatments near 303(d) listed waters or road ditches that drain into waterways could further degrade water quality. Because information about the level of herbicides that may reach waterways and potential adverse sublethal effects was not included, it is possible that impacts to water quality could be more significant than anticipated.

Recommendations:

- *The final EIS should include numeric standards for which impaired streams are listed and data demonstrating that state water quality standards would be met.*
- *The final EIS should identify added precautions that will be used when applying treatments near streams or road ditches that drain in the streams to minimize or avoid drift impacts and sublethal effects to aquatic life. For example, FS should avoid application of Picloram and other herbicides with very high movement rate to water sources within annual flood plains with water table close to the surface and high soil permeability.*
- *The final EIS should include a discussion on how invasive plants found within buffer zones would be treated and the precautions to be taken to protect water quality and aquatic life.*

- *Because broadcast and aerial spray of herbicides have potentially higher risks of contaminating waterways, the FS should select an Alternative that limits or excludes use of these techniques in applying herbicides around waterways and other sensitive resources.*

Monitoring

Monitoring and reporting will be valuable components of the proposed invasive plant treatment project. It is important to monitor results of weed treatment activities to document and assure effective weed treatment with minimal impacts on non-target species and avoidance of other adverse environmental or public health effects.

Recommendations:

- *Monitoring should incorporate following elements:*
 - *Density and rate of weed spread and their effects.*
 - *Effects of herbicides on noxious weeds and non-target plant mortality.*
 - *Establishment and effectiveness of biological control agents.*
 - *Presence of herbicide in surface or ground water in high risk areas (i.e. accidental spills, aerial application).*
 - *Overall, results of the proposed treatments in terms of their effectiveness of control and environmental consequences, and in meeting the goals of the 1964 Wilderness Act. Almost 1,000 acres of invasive weeds are within wilderness areas (p. 359).*

Other comments:

- The draft EIS indicates that the proposed project would cover about 23, 000 acres. Information on page 91 also indicates that the life of the proposed project would be a maximum of 40,000 acres. Figure 16 on page 107 further shows a declining trend when comparing the spread of invasive plant between now and when the proposed project will be complete in year 2020. It is not clear what the actual project treatment area is - 23000 or 40000 acres. The final EIS should clarify what the life of the project would be and appropriate rate of invasive plant infestation on the forest.
- On page 257, the draft EIS states that no invasive plant treatment of any kind is proposed for the Baker watershed. It is not clear, whether invasive plants exist in the watershed and if yes, how they would be treated to protect sources of drinking water in the watershed. Please provide that information in the final EIS.
- Section 2.3.6 (p. 83) indicates that new herbicides approved by the EPA may be used by the project to treat invasive plants. Because it is virtually impossible for EPA to identify all conceivable risks and address all uncertainties associated with pesticide use, it would be prudent to first assess the impacts of new herbicides on local resources and take additional precautions before their use. The final EIS should provide information about

the process that would be followed in selecting new herbicides for use on the forest and their adverse sublethal effects.

Because of concerns about water quality and missing or unclear information, we have assigned a rating of EC-2 (Environmental Concerns – Insufficient Information) to the draft EIS. This rating and a summary of our comments will be published in the *Federal Register*. For your reference, a copy of our rating system used in conducting our review is enclosed.

If you have questions or you would like to discuss the above comments, please contact Theo Mbabaliye at (206) 553-6322 or me at (206) 553-1601. Thank you for the opportunity to provide comments on the proposed project.

Sincerely,

/s/

Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

cc:

EPA Oregon Operations Office
EPA Idaho Operations Office
Confederated Tribes of Warm Springs
Confederated Tribes of Umatilla
Nez Perce Tribe